



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Linda S. Adams
Agency Secretary

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Arnold Schwarzenegger
Governor

April 24, 2009

Mr. Ron Schafer
District Superintendent
Los Angeles District
California Department of Parks and Recreation
23000 Pacific Coast Highway
Malibu, CA 90265

VIA FACSIMILE AND MAIL

NOTICE OF VIOLATION – MALIBU PIER STATE PARK, 23000 PACIFIC COAST HIGHWAY, MALIBU, CA (WDR ORDER NO. R4-2002-0153, CI-8456, FILE NO. 02-037)

Dear Mr. Schafer:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles and Ventura Counties, including the referenced property above.

Violation of Waste Discharge Requirements

You are subject to Order No. R4-2002-0153, in which the Regional Board specifies waste discharge requirements for discharges from your on-site wastewater treatment system (OWTS). Under Monitoring and Reporting Program No. 8992, which is part of Order No. R4-2002-0153, you are required to self monitor your discharge and to submit monitoring reports at regular intervals.

You are hereby notified that you are in violation of waste discharge requirements specified in Board Order No. R4-2002-0153, as follows:

- **Failure to Submit Monitoring Reports:**

The Regional Board has not received the following monitoring reports as shown in Table 1 below:

Monitoring Period	Due Date
3 rd Quarter 2007	10/15/07
Annual 2007	01/30/08
1 st Quarter 2008	04/15/08
Annual 2008	01/30/09

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- **Failure to Submit Monitoring Reports on Time**

The Regional Board did not receive the following monitoring reports on time as shown in Table 2 below:

Monitoring Period	Due Date	Receive Date	Days Late
2 nd Quarter 2006	07/15/06	07/17/06	2
3 rd Quarter 2006	10/15/06	10/16/06	1
4 th Quarter 2006	01/15/07	01/17/07	2
1 st Quarter 2007	04/15/07	04/18/07	3
2 nd Quarter 2007	07/15/07	07/17/07	2
4 th Quarter 2007	01/15/08	01/16/08	1
3 rd Quarter 2008	10/15/08	10/16/08	1

- **Violations of Effluent Limit**

You violated the effluent discharge limit as shown in Table 3 below:

Date of Sample	Monitoring Period	Violation Type	Parameter	Constituent	Reported Value	Permit Limit	Units
12/31/08	Annual 2008	Effluent	Ammonia	Weekly Maximum	18.5	2.4	mg/L

- **Failure to Submit a Report of Material Change**

You failed to provide post construction "as-built" plans (a report of material change on engineering modifications) for the completed modifications to the OWTS.

You are required to comply immediately with the following:

1. Submit the post-construction plans for the completed OWTS.
2. Immediately submit all missing monitoring reports required by Monitoring and Reporting Program, CI-8456 (see Table 1 above).
3. In the future, submit your monitoring reports by the due dates listed in Monitoring and Reporting Program, CI-8456.
4. Immediately implement corrective and preventative actions to bring your discharge into full compliance with Order No. R4-2002-0153.
5. Submit, by **May 25, 2009**, a report detailing the corrective and preventive actions taken to come into full compliance with Board Order No. R4-2002-0153.

Mr. Ron Schafer
Malibu Pier State Park

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April 24, 2009

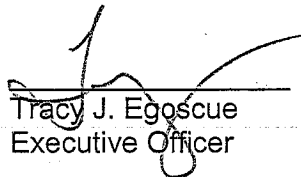
Pursuant to California Water Code §13350 (e), you are subject to penalties of up to \$5,000 for each day in which each violation occurs or \$10 for each gallon of waste discharged, but not both. These civil liabilities may be assessed by the Regional Board for failure to comply, beginning with the date that the violations first occurred, and without further warning.

The Regional Board may request that the Attorney General seek judicial civil liabilities or injunctive relief pursuant to CWC §§13262, 13264, 13304, 13331, 13340 and 13386.

Furthermore, the Regional Board may also request that the United States Attorney, appropriate County District Attorney, or City Attorney seek criminal prosecution. A superior court may be requested to impose civil or criminal penalties.

If you have any questions please call Project Manager, Ms. Toni Callaway, at (213) 620-2259 or Unit Chief of Groundwater Permitting, Dr. Rebecca Chou, at (213) 620-6156 regarding this matter.

Sincerely,




Tracy J. Egoscue
Executive Officer

Enclosure

cc: Mr. Jim Thorsen, City Manager, City of Malibu
Mr. Craig George, Division Manager of Building and Safety, City of Malibu
Mr. Patrick Nejadian, Department of Health Services, Los Angeles County
Mr. David Pedersen, Department of Public Works, Los Angeles County

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